

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

March 25, 2009
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Councilwoman Peggy Neely, Phoenix, Chair	Councilmember Margarita Garcia for
Mayor Thomas Schoaf, Litchfield Park,	Mayor Frank Montiel, Guadalupe
Vice Chair	Supervisor Max W. Wilson, Maricopa Co.
# Councilmember Robin Barker, Apache Junction	Mayor Scott Smith, Mesa
Mayor Marie Lopez Rogers, Avondale	Mayor Vernon Parker, Paradise Valley
Mayor Jackie Meck, Buckeye	Mayor Bob Barrett, Peoria
* Mayor Wayne Fulcher, Carefree	Mayor Arthur Sanders, Queen Creek
Councilmember Dick Esser, Cave Creek	* President Diane Enos, Salt River
Mayor Boyd Dunn, Chandler	Pima-Maricopa Indian Community
* Mayor Fred Waterman, El Mirage	# Mayor Jim Lane, Scottsdale
President Clinton Pattea, Fort McDowell	Mayor Lyn Truitt, Surprise
Yavapai Nation	Mayor Hugh Hallman, Tempe
Mayor Jay Schlum, Fountain Hills	* Mayor Adolfo Gamez, Tolleson
# Mayor Fred Hull, Gila Bend	+ Mayor Kelly Blunt, Wickenburg
Governor William Rhodes, Gila River Indian	Mayor Michael LeVault, Youngtown
Community	* Felipe Zubia, State Transportation Board
Mayor Steven Berman, Gilbert	* Victor Flores, State Transportation Board
* Mayor Elaine Scruggs, Glendale	Vacant, Citizens Transportation Oversight
* Mayor James M. Cavanaugh, Goodyear	Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair Peggy Neely at 5:08 p.m.

2. **Pledge of Allegiance**

Supervisor Wilson led the Pledge of Allegiance.

Chair Neely noted that Mayor Jim Lane, Mayor Fred Hull, and Councilmember Robin Barker were participating by teleconference, and Mayor Kelly Blunt was participating by videoconference. Councilmember Margarita Garcia joined the meeting as proxy for Mayor Frank Montiel.

Chair Neely noted materials at each place that included the revised agenda and materials for agenda item #5E, agenda item #6C, and agenda item #6D, which had been transmitted earlier to the Council. She noted that the item previously noted as agenda item #5D was reordered on the agenda as item #6D. Chair Neely also noted that an updated bill summary chart for agenda item #9 was at each place.

Chair Neely requested that members of the public who would like to comment fill out a blue public comment card for Call to the Audience or a yellow public comment card for Consent Agenda items or items on the agenda for action. She said that parking garage validation and transit tickets for those who used transit to attend the meeting were available.

3. Call to the Audience

Chair Neely noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Neely recognized public comment from Dianne Barker, who said that she had come to the meeting by transit and expressed her thanks for the transit ticket. Ms. Barker expressed her concerns for ozone and air quality were reflected in her comments in the February Regional Council minutes. She said that she submitted a public records request to the Department of Weights and Measures to find out the composition of gasoline. Ms. Barker stated that EPA lists more than 100 toxins in gasoline. She stated that MAG might plan for air quality but she did not know the extent of its governance. Chair Neely thanked Ms. Barker for her comments.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, provided a report to the Regional Council on activities of interest. He announced that the MAG Human Services Coordination Transportation Planning Program won the United We Ride National Leadership Award for Major Urbanized Areas. Mr. Smith said that winners are being recognized for providing leadership and action toward developing and/or implementing excellent high-quality coordinated human service transportation programs or systems. He stated that Secretary of Transportation Ray LaHood will present the award March 30, 2009. Mr. Smith reported that Federal Transit Administration funding was provided through the City of Phoenix as the Designated Transit Recipient and also by the Virginia G. Piper Charitable Trust. Mr. Smith acknowledged Amy St. Peter and DeDe Gaisthea for their efforts in this area.

Mr. Smith stated that many Regional Council members on the TPC recommended finding a resolution to litter in the region and the “Don’t Trash Arizona!” program was implemented through the Regional Transportation Plan. He announced that the Public Relations Society of America named “Don’t Trash Arizona!” as a 2009 Silver Anvil finalist. He noted the participation of ADOT and the public relations firm of Riester in the program. Mr. Smith reported that the winners will be announced on June 4, 2009, in New York City. Mr. Smith acknowledged the efforts of Kelly Taft, MAG Communications Manager, and her division on the MAG program.

Chair Neely congratulated staff on their accomplishments and expressed appreciation for all of their hard work.

5. Approval of Consent Agenda

Chair Neely noted that agenda items #5A through #5C and #5E through #5G were on the Consent Agenda. She noted that agenda item #5D having been removed from the Consent Agenda and reordered as item #6D. Chair Neely stated that no public comment cards had been received. She asked members if they had questions or requests to hear an item individually.

Mayor Lopez Rogers requested that agenda item #5G be removed from the Consent Agenda and brought back for a full presentation to the Regional Council.

Mayor Boyd Dunn moved to approve Consent Agenda items #5A, #5B, #5C, #5E, and #5F. Councilmember Esser seconded, and the motion passed unanimously.

5A. Approval of the February 25, 2009, Meeting Minutes

The Regional Council, by consent, approved the February 25, 2009, meeting minutes.

5B. Amendment of the FY 2009 MAG Unified Planning Work Program and Annual Budget to Accept FY 2009 Federal Highway Administration Planning Funding

The Regional Council, by consent, amended the FY 2009 MAG Unified Planning Work Program and Annual Budget to accept \$134,537.35 of FY 2009 Federal Highway Administration Planning Funding. Each year, MAG prepares a Unified Planning Work Program and Annual Budget that lists anticipated revenues for the coming year. On February 10, 2009, MAG was notified by the Arizona Department of Transportation that MAG received an additional amount of \$134,537.35 of FY 2009 Federal Highway Administration Planning (PL) funding. An amendment to the FY 2009 MAG Unified Planning Work Program and Annual Budget is needed to include this additional amount. On March 11, 2009, the Management Committee recommended amending the Work Program.

5C. Consultant Selection for the MAG Activity-Based Travel Forecasting Model Development (Phase I)

The Regional Council, by consent, selected PB Americas, Inc. to conduct the MAG Development of Activity-based Travel Forecasting Model (ABM) - Phase I for an amount not to exceed \$270,000. If negotiations with PB Americas, Inc. are not successful, that MAG negotiate with its second choice,

Cambridge Systematics, Inc., to conduct the project. In May 2008, the MAG Regional Council approved the FY 2009 Unified Planning Work Program and Annual Budget, which included \$270,000 to conduct a first phase of the development of activity-based travel forecasting model (ABM) as a part of the ongoing contracts for on-call consulting services for transportation modeling. The project will ensure that current and future travel forecasting needs are addressed in a timely manner and will allow MAG to implement a new generation of the travel forecasting models that is required by emerging planning needs in the region. On December 18, 2008, MAG issued a Request for Proposals to conduct the study to the consultants pre-qualified through the on-call support contractual process. In response, three proposals were received. A multi-agency review team recommended to MAG the selection of PB Americas, Inc. to conduct the development. In addition, the team recommended that if negotiations with PB Americas, Inc. on the task order are not successful, that MAG pursue negotiations with its second choice, Cambridge Systematics, Inc. The Management Committee concurred with the recommendation.

5E. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed administrative modification involves several Arizona Department of Transportation projects as part of the American Recovery and Reinvestment Act, including projects on Interstate-10, Interstate-17, and US 60. In addition, the amendment and administrative modification includes City of Phoenix Public Transit projects, Arizona Avenue Bus Rapid Transit, Country Club Drive and US 60 Park-and-Ride, East Valley Operations and Maintenance Facility Expansion and Upgrade, and Goodyear Park-and-Ride. The amendment includes projects that may be categorized as exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

5F. 2009 MAG Human Services Coordination Transportation Plan Update

The Regional Council, by consent, approved the 2009 MAG Human Services Coordination Transportation Plan Update. The federal Safe and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires the establishment of a locally developed, coordinated public transit-human services transportation plan for all Federal Transit Administration (FTA) programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program (Section 5310); the Job Access and Reverse Commute program (Section 5316); and the New Freedom program (Section 5317). MAG has developed this coordination plan each year in compliance with this requirement since 2007. The MAG Regional Council approved the 2008 Plan in January 2008. The 2009 MAG Human Services Coordination Transportation Plan Update was recommended for approval by the MAG Human Services Technical Committee and the MAG Management Committee.

5G. Amendment of the FY 2009 MAG Unified Planning Work Program and Annual Budget to Include Funding to Participate in a Brookings Intermountain Study and to Include Funding to Have Arizona State University North American Center for Transborder Studies Provide Research Regarding the Global Competitiveness of Arizona and the Sun Corridor

This item was removed from the Consent Agenda.

Mr. Smith reported that the Brookings Metropolitan Policy Program has been doing research on Intermountain West organizations. He said that Salt Lake City, Denver, and Las Vegas are ahead of the MAG region in areas of light rail and commuter rail. Mr. Smith stated that Brookings is looking at the Intermountain West as the fastest growing region in the United States and realizes that many metro areas share common needs. He stated that Brookings is requesting \$20,000 each from five states to conduct the research. Mr. Smith added that the Pima Association of Governments and the Central Arizona Association of Governments may participate in funding the Arizona portion. He stated that the Sun Corridor is one of the Mountain Mega areas in the United States that Brookings has been studying.

Mayor Lopez Rogers asked if the Sun Corridor was included in the Brookings study. Mr. Smith replied that was correct, and said that the idea of the study is to pull the available information together in order to gain strength. Mr. Smith noted that a number of Intermountain region elected officials, including Senator Harry Reid of Nevada, hold prominent political positions.

Mr. Smith stated that the Arizona State University (ASU) North American Center for Transborder Studies is a more local effort. He said that he has met with Dr. Van Schoik from ASU, who indicated that for \$12,000, he could collect the available information on global and North American forces that impact MAG and vice versa. Mr. Smith noted that if the Pima Association of Governments (PAG) and the Central Arizona Association of Governments (CAAG) participated, the cost to MAG would be less than \$12,000. He said that the Executive Committee guidance indicated they thought it advantageous for the MAG elected officials to meet with the PAG and CAAG elected officials and discuss the Sun Corridor in a neutral setting. Mr. Smith stated that MAG currently does not know all of the resources available outside its border, and the study was an opportunity to have the research, not only as a basis for the meeting, but also as a way to work with the counties with similar issues.

Mayor Lopez Rogers stated that the Regional Council was looking at amending the Work Program and Annual Budget to include \$20,000 in federal funds for a study, and she would like to better understand the advantages of such a study by having a full presentation at a later date.

Mr. Smith stated that MAG has been working on a scope of work with Dr. Van Schoik and he could be asked to present on the ASU study at the Regional Council meeting. He indicated that he could check with Brookings if they could attend by videoconference or teleconference.

Chair Neely asked Mayor Lopez Rogers if she would agree to having a presentation at Executive Committee and then, if there are concerns, having a presentation to the full Regional Council. Mayor Lopez Rogers replied that would be fine.

Mayor Hallman stated that he had spent a lot of time involved in this issue, and 15 years ago he worked on the Canamex Corridor, which resulted in a book. He expressed that he thought it was critically important for MAG to move ahead on these projects. Mayor Hallman stated that he appreciated Mayor Lopez Rogers' desire for a presentation, and he suggested a full presentation be given to the Regional Council as well as the Executive Committee because he thought it important that the Regional Council understand the opportunities that could be available if this moves forward. He pointed out page two of the proposal and said that MAG could take advantage of the enormous amount of work that has been done. Mayor Hallman expressed that he thought there was a risk of losing an opportunity to bring

international trade through Mexico to Arizona on a transportation corridor, and be able to procure high tech facilities, etc. He asked if a one-month delay would cause a negative impact because he thought it was important for the Regional Council to fully understand and get behind it. Mr. Smith replied that it would just delay the meeting in Casa Grande.

Mayor Lopez Rogers moved to have this item presented at the next Regional Council meeting. Mayor Hallman seconded, and the motion carried unanimously.

6A. ADOT Portion of the American Recovery and Reinvestment Act Funds

Eric Anderson, MAG Transportation Director, provided an update on the ADOT portion of the American Recovery and Reinvestment Act funds. Mr. Anderson stated that the MAG region received 37 percent of the ADOT portion, which totals a little less than \$130 million. He reported that the State Transportation Board approved five projects in the MAG region to utilize the funds: I-10, Sarival to Verrado Way; I-17 Carefree Highway to Anthem; expansion of the traffic interchange at Union Hills and Loop 101; and two widening projects on Grand Avenue/US 60.

Mr. Anderson noted that on March 25, 2009, ADOT issued a press release that the I-10 project would be advertised for bid this week, dependent upon Regional Council action to approve the administrative modification to the TIP that will be considered under agenda item #6D. Mr. Anderson stated that the I-17 project is scheduled to go to bid next week, and the Union Hills traffic interchange and smaller US 60 project in mid-May. He advised that the second US 60 project is scheduled to go to bid in June, following some final design work that needs to be completed. Chair Neely thanked Mr. Anderson for his report. No comments from the Council were noted.

6B. MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds Project and Allocation Scenarios

Eileen Yazzie, MAG Transportation Program Manager, provided a report on the American Recovery and Reinvestment Act (ARRA) legislation sub-allocation to the MAG region. Ms. Yazzie noted that MAG was notified by ADOT on March 16, 2009, that the MAG sub-allocation portion of the ARRA funds is \$104.6 million, an increase of about \$15 million over the \$88 million previously reported.

Ms. Yazzie stated that the ARRA funds can be used on projects that meet the federal criteria for Surface Transportation Program funds. She reported that these are the most flexible funds and can be used for such projects as transit, bicycle, and pedestrian projects, in addition to highway and road projects.

Ms. Yazzie stated that the ARRA funds were made available on March 3, 2009, and have a “use it or lose it” provision to obligate the funds. She noted that MAG must obligate 100 percent of its funds by March 2, 2010. Ms. Yazzie advised that one year seems like a long time to obligate funds, however, local government projects usually take one to two years to obligate.

Ms. Yazzie stated that there are reporting requirements and deadlines for the ARRA funds. She stated that MAG was well represented at a Webinar on reporting requirements that was hosted by the Federal Highway Administration (FHWA) for state and local agencies on March 24. Ms. Yazzie explained that

reporting is to be coordinated and implemented by state departments of transportation, and coordinated with local agencies. She stated that transparency is one of the goals and reports will be posted on www.recovery.gov for public view. Ms. Yazzie displayed some of the reporting criteria and noted that FHWA has the reporting forms available electronically.

Ms. Yazzie stated that at its February meeting, the Transportation Policy Committee requested that scenarios for the MAG sub-allocation be developed. She stated that five scenarios were developed and are included in the agenda packet. Ms. Yazzie noted that Scenario #1A includes a base minimum allocation with population to member agencies, and Scenario #1B is a base minimum and if an agency does not meet the minimum requirement, it receives just the minimum allocation and the rest of the funds would be distributed to other agencies based on population.

Ms. Yazzie stated that Scenarios #2, #3, and #4 are based on funding Proposition 400 projects; Scenario #2 includes Highway projects only; Scenario #3 includes Highway and Arterial projects; and Scenario #4 includes a combination of Highway, Arterial and Transit projects. Ms. Yazzie explained that Scenario #5 includes projects ready to go that are in the TIP and have all clearances completed or nearly completed. She noted that the MAG Management Committee and the Transportation Policy Committee recommended approval of Scenario 1, Option A.

Ms. Yazzie stated that upon Regional Council approval of a scenario, action on the necessary amendments and modifications to the TIP and conformity consultation would take place at the April 2009 committee meetings. She said that a joint meeting of FHWA, the ADOT Local Governments section and MAG is scheduled for April regarding reporting and implementing projects. Chair Neely thanked Ms. Yazzie for her report and asked members if they had any questions.

Councilmember Garcia asked if the ARRA funds could be provided to small towns for the upkeep of streets, which need maintenance because of heavy usage from through traffic. She said that when the freeway closes, the traffic diverts to Guadalupe and the town does not have the funds to maintain its streets. Councilmember Garcia expressed concern that Guadalupe's roads have many potholes that need to be redone. Ms. Yazzie replied that Scenario 1, Option A allocates funds to every MAG member agency, which includes Guadalupe. She explained that this scenario is possibly a good fit for her community because the projects they are looking for are street overlay and improvement projects. Ms. Yazzie advised that there are eligibility criteria that must be met and MAG staff will work with technical staff to ensure each agency is aware of the funding amount available to the agency and that the projects are programmed correctly.

Chair Neely asked Ms. Yazzie for clarification that MAG staff thinks using the ARRA funds for maintaining streets would be possible and that town staff would be involved in the process. Ms. Yazzie replied that was correct.

Supervisor Wilson asked Councilmember Garcia if the town has the ability to fix the streets or if the repairs would need to be subcontracted. Councilmember Garcia replied that repairs would need to be subcontracted because the Town has no money.

Mayor Lopez Rogers said that this brings up her thought of helping small cities. She expressed her concern that smaller jurisdictions might not have the staff to meet the requirements, and asked for clarification that MAG staff would be available to assist and that ADOT had the ultimate responsibility. Ms. Yazzie replied that MAG staff is available to define and program projects and help agencies with the details necessary to program projects correctly. She said that the ADOT Local Governments section is the agency designated by FHWA to be responsible for implementing the federal guidelines. Ms. Yazzie explained that in January 2009, ADOT hired five consultant teams, two of which are designated to the MAG region, in preparation of ARRA funds coming to the state. She said that ADOT is committed to projects being completed and the ADOT Local Governments section consultants will aid any agency develop its federal clearances.

Mayor Lopez Rogers asked about the auditing process. Ms. Yazzie responded that the reporting requirements are applicable to ARRA funds only, not to funds such as CMAQ or STP. She said that the ADOT Local Governments section would take care of the reporting requirements for the projects. Ms. Yazzie added that there are six mature cities in the region that are certified by ADOT and FHWA to conduct their own bid process, and they will coordinate with ADOT to ensure the reporting requirements are met.

Councilmember Esser asked if the April 3, 2009, date noted in the requested motion, was still current. Ms. Yazzie replied that the April 3 date was in the motion made at the Management Committee and Transportation Policy Committee meetings. She explained that it was included as a best effort. Ms. Yazzie commented that this was not to say if an agency had not sorted out all of the eligibility criteria by this date that they would not receive their money, but to be ready for the committee meeting cycle in April in order to get the projects approved in the TIP.

Councilmember Esser asked if there was a contact person at ADOT or if agencies would work through MAG. Ms. Yazzie replied that member agencies were to feel free to contact her, and if an agency needed to work with ADOT, she would direct them to the correct person.

Councilmember Garcia stated that ADOT had failed her community in regard to a flooding situation on Guadalupe Road that comes from the Gosnell property. She said that ADOT is aware of the situation, but has ignored it.

Chair Neely said that the Regional Council needed to stay on the topic listed on the agenda, however, staff could meet with Councilmember Garcia at another time.

Mayor Hallman pointed out that under Scenario 1, Option A, the ARRA fund allocation to Guadalupe would be approximately \$634,000, which might solve some of the problems in Councilmember Garcia's community.

With no further comments from the Council, Chair Neely called for a motion.

Mayor Barrett moved approval of Scenario #1, Option A, with a Minimum Agency Allocation of \$500,000 plus population dated March 17, 2009, for the distribution of the MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds in accordance with the following: 1. Establish

a deadline of April 3, 2009, to have MAG member agencies define and submit projects to MAG for the sub-allocated funds due to the very limited time to obligate the projects. 2. Have MAG prepare the necessary administrative adjustments/amendments to the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan as appropriate. 3. Have MAG conduct the air quality consultation/conformity if necessary. 4. Establish a deadline of November 30, 2009 for projects to be obligated. Funds from projects that are not obligated will be reprogrammed to meet the federal obligation date of March 2, 2010 in order for Arizona to be eligible to receive funding from other states that are unable to obligate their funds. Mayor Sanders seconded.

Chair Neely asked members if they had discussion of the motion.

Vice Chair Schoaf said that he would explain why he would vote against the motion. He stated that at the last meeting, the Regional Council divided up the stimulus funds on projects that would have significant impacts. Vice Chair Schoaf recalled that President Ronald Reagan once said that the money we spend comes from individual taxpayers. He said that this means that the Regional Council has a moral responsibility to its taxpayers to spend the stimulus funds wisely. Vice Chair Schoaf stated that the stimulus funds, and most everything given by the federal government, are our grandchildren's money and so our moral responsibility is even greater. Vice Chair Schoaf stated that the stimulus money was intended to create jobs and help the economy, and that involves hiring someone for a significant amount of time, not just for one week, and create an asset that will benefit people for a long time. He stated that there is not necessarily a best way to split the money, whether it be a peanut-butter approach to spread it around to all agencies, toward agreed-upon priorities in Proposition 400, or toward other projects; nor is there a particular way required to split the money. Vice Chair Schoaf stated that Scenario 1, Option A allocates the stimulus funds to individual jurisdictions and there are 12 jurisdictions that would receive less than \$1 million. He commented that this says to take your grandchildren's money and do something significant with a half-million dollars, however, that is enough to do only one-half mile of overlay, and is not enough to do anything significant in small cities. Vice Chair Schoaf expressed that he did not think this was an appropriate way to spend the stimulus money, and he would vote no because it violates his moral responsibility in the way he was going to spend his grandchildren's money.

Mayor Truitt stated that the City of Surprise consistently has supported Proposition 400 projects. He expressed his belief that MAG owes it to the voters who have already selected the projects and agreed to the sales tax, and that is the reason he would vote no on the motion.

Chair Neely stated that through this process a plan has been developed without too much collateral damage, and she thought the community will be better after the stimulus funds are invested. She extended her appreciation for everyone's participation and for the respect shown for the opinions of others. Chair Neely expressed that she felt that MAG had done a good job with what has been dealt to it in a quick manner.

Mayor Hallman stated his appreciation for the concerns expressed by Vice Chair Schoaf and Mayor Truitt about how the stimulus funds will be spent. He said that he, too, was concerned about this, but through the MAG process, an interesting compromise was reached where a large amount of the funds was spent for significant projects for regional transportation purposes. Mayor Hallman stated that the federal government is making sure the money is going to be spent regardless, and he thought there were

a lot of small projects that could make a significant difference in the community and in providing jobs. Mayor said that he wanted to note that in this process, a proportional share was taken from eight cities and provided to smaller communities to help them make a difference. He stated that the Town of Guadalupe lies within the geographic boundary of the City of Tempe, and with the assistance of MAG and ADOT, the stimulus funds could help Guadalupe make significant improvements and provide local construction jobs for members of that community. Mayor Hallman stated that he thought there was an opportunity that these funds would be spent wisely to achieve those goals.

Mayor Schlum asked if a template for cities to use in submitting their projects had been developed. Ms. Yazzie replied that a three-page memorandum, supporting information, and a spreadsheet were transmitted to the MAG Management Committee, the Transportation Review Committee, the Street Committee, and Intergovernmental Representatives on March 23, 2009.

With no further discussion, the vote on the motion passed, with Vice Chair Schoaf, Mayor Truitt, and Councilmember Garcia voting no.

6C. MAG Regional Portion of the American Recovery and Reinvestment Act -Transit

Ms. Yazzie reported on the Transit portion of the MAG regional portion of the American Recovery and Reinvestment Act (ARRA). She said that on March 19, 2009, the Regional Public Transportation Authority (RPTA) Board of Directors took action on the projects to be funded with the Transit portion of the ARRA funds, and the revised information was included in the email to members on March 24, 2009. Ms. Yazzie stated that slightly less than \$66 million is dedicated to the MAG region for transit projects. She noted that RPTA is required to obligate 50 percent of its funds, about \$33 million to \$34 million, in 180 days, and added that RPTA has one year (March 2, 2010) to obligate the remainder of the funds.

Ms. Yazzie noted that the list includes two projects in the Avondale Urbanized Area via 5307 formula funds of \$1.3 million and a park and ride lot for the Phoenix/Mesa Urbanized Area. She displayed a detailed list of the Phoenix projects in the RPTA Board motion, and a map of the 15 projects prioritized and recommended by the Board. Ms. Yazzie stated that if the Regional Council approved the projects to be funded with the ARRA transit funds, an amendment to the TIP to include the projects would be addressed in the next agenda item. Chair Neely thanked Ms. Yazzie for her report. It was noted that no requests for public comment were received.

Mayor Dunn stated that all of the project proposals are items that meet the most criteria and have the most impact on a regional basis. He indicated that he was pleased with the community's efforts at RPTA to approach this on a regional basis and address need in all categories.

Mayor Dunn moved to approve a list of Transit related projects as approved by the Regional Public Transportation Authority Board on March 19, 2009, and as identified by the letter addressed to Dennis Smith from the Executive Director of RPTA, David Boggs, dated March 19, 2009, with the additional clarification that was provided regarding the Phoenix projects. Mayor Hallman seconded.

Mr. Smith noted that the following language needed to be added to the motion: “contingent upon the projects receiving the necessary administrative adjustments and amendments to the MAG FY 2008-2012 Transportation Improvement Program and air quality conformity and consultation.”

Mayor Dunn, as maker of the motion, and Mayor Hallman, as second, agreed to a motion for approval of a list of Transit projects for the Transit portion of the American Recovery and Reinvestment Act funds of 2009, contingent upon the projects receiving the necessary administrative adjustments and amendments to the MAG FY 2008-2012 Transportation Improvement Program and air quality conformity and consultation.

With no comments on the motion, Chair Neely called for a vote, which passed unanimously.

6D. Project Changes – Administrative Modification to the FY 2008-2012 MAG Transportation Improvement Program for Funding from the American Recovery and Reinvestment Act of 2009

Ms. Yazzie stated that this was the technical process to amend and administratively modify the FY 2008-2012 MAG Transportation Improvement Program to take a final action on the Highway and Transit projects and amounts funded by the ARRA funds. Chair Neely thanked Ms. Yazzie and asked if members had questions or comments. None were noted. It was noted that no requests for public comment were received.

Mayor Hallman moved to approve the administrative modifications to the FY 2008-2012 Transportation Improvement Program, as appropriate, to the Regional Transportation Plan 2007 Update, for funding from the American Recovery and Reinvestment Act of 2009 as shown in the attached table. Vice Chair Schoaf seconded, and the motion carried unanimously.

7. Census 2010 Outreach Efforts

Kelly Taft, MAG Communications Manager, provided an update on census outreach activities. Ms. Taft stated that the 2010 Census will be April 1, 2010, and she noted that census data are used to determine the allocation of more than \$300 billion in federal funds to states and communities every year and the apportionment of Congressional seats.

Ms. Taft noted the media buys proposal that was developed by the City of Phoenix with input from its Complete Count Media Subcommittee and the MAG Count to 10 Census Outreach Group, which is composed of communication representatives from the MAG member agencies. She said that the proposal includes two scenarios, Idea One and Idea Two, both of which include a mix of cable television buys, radio buys, print advertising, and minority media advertising.

Ms. Taft said that the primary difference between Idea One at approximately \$327,000 and Idea Two at just over \$426,000 is that Idea Two also includes network television advertising as well as additional print buys in the community sections of local newspapers. She provided a breakdown of each option in the categories of radio, television and print.

Ms. Taft stated that the advertising campaign, which will cover the entire Valley, is targeted for a five-week period beginning the first week of March. She advised that they will be approaching the stations for value-added matches and discounts.

Ms. Taft stated that accurate population counts are critical to MAG's transportation modeling efforts and for conducting effective planning. She said that this year, due to the extraordinary fiscal challenges facing the local governments, MAG asked the Federal Highway Administration if a portion of the MAG federal Surface Transportation Program (STP) funds can be used to pay for 50 percent of the costs for these outreach-related expenses. Ms. Taft noted that the FHWA has responded that it will allow MAG to use its federal STP planning funds for half of the census advertising costs, with an understanding that the MAG federal funds portion would not exceed \$234,500.

Ms. Taft reported that the MAG Management Committee recommended approval of Idea Two. She noted that the Management Committee also asked the group to explore ways of utilizing social media to help disseminate key messages. Ms. Taft added that it is important to note that the proposal is draft and the numbers are subject to change, but would not exceed any overall budget amount approved by the Regional Council. She advised that the buys likely would not represent a member agency's total budget commitment needed for census outreach, and additional funding might be needed for targeted community outreach.

Ms. Taft pointed out that the federal stimulus dollars might be directed to the census for marketing efforts, and if the Census Bureau pays for broadcast advertising in the region, these dollars would be applied toward costs. Chair Neely thanked Ms. Taft for her report. No questions from the Council were noted. No requests for public comment were received.

Mayor Hallman moved to approve the selection of Idea Two for the 2010 Census advertising costs and that the FY 2009 MAG Unified Planning Work Program and Annual Budget be amended to use MAG Federal Highway Administration STP funds not to exceed \$213,408 to pay for half of the 2010 Census advertising costs, with the understanding that if federal stimulus funds are received for this purpose, a commensurate reduction would be made to the request for funding. Mayor Barrett seconded, and the motion passed unanimously.

8. Development of the FY 2010 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough, MAG Fiscal Services Manager, updated members on the development of the FY 2010 MAG Unified Planning Work Program and Annual Budget. Ms. Kimbrough noted that the draft Work Program and the "MAG Programs in Brief" were included in the agenda packet.

Ms. Kimbrough stated that the Intermodal Planning Group meeting, which is a federal review of MAG's Work Program by the federal agencies, is scheduled for April 17th at the MAG office.

Ms. Kimbrough stated that the draft MAG Programs in Brief includes a narrative of the 16 proposed new projects for FY 2010. She noted that the census media project that the Regional Council just approved will need to be added as a new project.

Ms. Kimbrough stated that MAG staff can be recommended for an increase of up to five percent in salary, but due to the economic situation, MAG is recommending no increase in staff salaries in the FY 2010 draft budget.

Ms. Kimbrough stated that MAG includes a 15 percent contingency of the operating costs in the budget to have flexibility in its budget to address future issues. She noted that the current estimate for contingency is about \$1.5 million.

Ms. Kimbrough stated that in the past, the estimates for the MAG Dues and Assessments were held constant, however, for FY 2010, MAG is recommending that dues and assessments be reduced by 50 percent. Chair Neely thanked Ms. Kimbrough for her report. No questions from the Council were noted.

9. Legislative Update

Nathan Pryor, MAG Senior Policy Planner, provided an update on legislative issues of interest. He reported that on the federal side, the final FY 2009 Omnibus Appropriations Bill was signed by President Obama. Mr. Pryor stated that transportation will receive 4.9 percent more than in FY 2008, but there is concern about future Federal Highway Administration and Federal Transit Administration funding. He displayed a chart issued by the Congressional Budget Office that showed the baseline for the transportation trust fund, and said that funding is essentially flat. Mr. Pryor commented that this could affect surface transportation strategies, especially with SAFETEA-LU expiring on September 30, 2009.

Mr. Pryor stated that the National Surface Transportation Financing Commission report pushes for a short-term fix in the gas tax with an increase of 10 cents per gallon on regular gas and 15 cents per gallon on diesel, and for the long-term, a mileage-based fee. Mr. Pryor stated that the White House Press Secretary was not supportive, but the option may be revisited.

Mr. Pryor reported on State legislation. He stated that about \$521 million in American Recovery and Reinvestment Act funds, which includes about \$15 million for transportation enhancements, is coming to Arizona. Mr. Pryor noted that ADOT may be pursuing funding enhancements projects that have already gone through the Transportation Enhancement Review Committee (TERC) process. He noted that 11 MAG projects have already undergone the TERC process. He advised that they are proposing that some of the ARRA funds will be shifted to cover some of the local share. Mr. Pryor added that transportation enhancement project applications are due to MAG on April 14, 2009 and information is available on the MAG website.

Mr. Pryor said that the FY 2010 budget has dominated work at the Legislature, and there has been little bill activity. He noted that three public private partnership bills are being monitored. Mr. Pryor stated that another bill being monitored proposes formation of a Transportation District Working Group consisting of the ADOT Director and the Chairs or Directors of the State's COGs and MPOs to review transportation districts and make recommendations on improving operations. Mr. Pryor noted that a report to the Governor and Legislature would be due from the group in late 2010.

Mr. Dennis Smith noted that unless something changes, the Congressional Budget Office chart shows that a large bailout is not coming. He noted that a lot of lobbying is going on in Washington, DC, because everyone created big lists and found little money was forthcoming. Mr. Smith stated that MAG is different from other MPOs in that it was one of the first in the nation to pass a one-half cent sales tax for transportation and then renewed it in 2004. He said that MAG put some of this regional tax on the federal system, and he thought including an incentive in reauthorization and removing restrictions for those entities that have provided their own funds could be explored. Mr. Smith added that every region in the country should be contributing some of its own funds to the federal system, because there are not enough funds from the current sources to pay for all needs.

Mayor Scott Smith stated that Arizona gets the short end in allocations. He said that it is a systemic flaw that has left Arizona on the side of the road. Mayor Smith stated that because Arizona was not included in the formula, it did things that other states or regions have not had to do because they were included in the formula. He said that the Mountain Mega and Brookings efforts could bring together the metro areas with common opportunities and problems, and that is why it is important to support these efforts. Mayor Smith stated that sheer numbers will not permit MAG to go it alone against neighbors to the east and the west who love the status quo. He said that there is a reason MAG overlaid on the federal system, and that is because it had to; others do not have to because the formula takes care of them. Mayor Smith stated that it is important to look to our sister states with similar problems and get our Congressional delegation to pull together. He stated that Senator Reid and others are in positions that can help, and he believed some inroads to federal policy can be made, especially as reauthorization comes up.

10. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mayor Schlum announced that the Town of Fountain Hills had lost one of its councilmembers on March 17, 2009. He said that Councilmember Keith McMahan, also known as “Mr. Fountain Hills,” was in his second term on the Town Council. Mayor Schlum noted that a celebration of his life would be held in April. Chair Neely expressed her sympathies to Mayor Schlum and requested that provide the details of the service to MAG staff so they could send them out on MAG announcements.

There being no further business, the Regional Council meeting adjourned at 6:16 p.m.

Chair

Secretary